

Message Text

CONFIDENTIAL

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ACTION EUR-03

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C O N F I D E N T I A L MOSCOW 19458

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FOR GARRISON FROM MATLOCK

EO 11652: GDS
TAGS: OGEN
SUBJECT: OFFICIAL-INFORMAL

1. WE THINK WE HAVE FOUND A GOOD CANDIDATE FOR RETAILIATION OF
HERSPRING'S VISA REFUSAL. MOSCOW 19347 REQUESTS VISA
AUTHORIZATION FOR IGOR' DMITRIYEVICH KOTEL'NIKOV TO PERMIT
30 DAYS TDY AT SOVIET EMBASSY WASHINGTON AND CONGEN
SAN FRANCISCO. ETD MOSCOW IS JANUARY 11. OUR
PROPOSAL IS NOT TO ISSUE AND, UNTIL ABOUT A WEEK BEFORE
ETD, TO RESPOND TO ANY MFA INQUIRIES THAT WE HAVE NOT YET
RECEIVED DEPARTMENT'S AUTHORIZATION (POINTING OUT, IF
NECESSARY, THAT SAN FRANCISCO DOES NOT FALL WITHIN 3-5
DAY RULE). ABOUT A WEEK BEFORE ETD, WE WOULD INFORM MFA
THAT KOTEL'NIKOV'S VISA REFUSED IN RETALIATION FOR HERSPRING'S
REFUSAL. IF YOU CONCUR, PLEASE ARRANGE OPEN CHANNEL
INSTRUCTION FOR US TO REFUSE.

2. WE THINK FAMILIES SHOULD BE AWARE THAT IN SOME PRIOR
CASES, APPEALS FOR LENIENCY MAY HAVE HAD SUBSTANTIAL
RESULTS. DUTCH PRISONERS WHO RECIEVED EIGHT-YEAR
SENTENCES, WERE RELEASED IN ABOUT EIGHT MONTHS, AFTER
FAMILIES APPEALED FOR LENIENCY. WHILE WE CANNOT BE
CERTAIN OF CAUSE-EFFECT RELATIONSHIP, THERE IS
DISTINCT POSSIBILITY THAT SOVIET AUTHORITIES DO
NOT PARTICULARLY WANT TO KEEP THESE WESTERN PRISONERS
FOR EXTENDED PERIODS OF TIME. IF SO, APPEALS FOR
LENIENCY MAY PROVIDE CONVENIENT HOOK ON WHICH TO
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HANG DECISION TO RELEASE THEM (EVEN THOUGH THERE MAY BE

A CONSIDERABLE TIME LAG AFTER RECEIPT OF APPEALS BEFORE ACTION IS TAKEN).

3. WE ARE READY FOR EGON MEHLBERG'S FINAL INTERVIEW AS SOON AS HE NOTIFIES US THAT HE HAS COLLECTED ALL THE REQUIRED PERSONAL DOCUMENTS. WE GAVE HIM PACKET 3 ON OCTOBER 28, BUT HAVE NOT HEARD FROM HIM SINCE. WE ARE SENDING HIM A TELEGRAM TO SEE IF WE CAN HURRY HIM UP A LITTLE.

4. UGANES KOSHKARYAN CAME IN FOR A VISIT THINKING WE MIGHT HAVE SOMETHING NEW FOR HIM. OF COURSE, HE WAS BITTERLY DISAPPOINTED AND TOLD US THAT HE AND HIS FAMILY ARE LIVING IN A CELLAR "APARTMENT" WHILE TRYING TO USE AS LITTLE AS POSSIBLE OF THEIR DWINDLING RESOURCES. THIS IS OUR LONGEST STANDING 212(A)(28) REFUSAL CASE AND WE'D LIKE VERY MUCH TO DO SOMETHING FOR THEM. AT VERY LEAST, WE MIGHT SOON HAVE TO THINK ABOUT SENDING THE REST OF THE FAMILY OUT TO ROME ON THE ASSUMPTION THAT EVEN THE TENDER MERCIES OF INS COLLECTIVE GUILT DOCTRINE ARE BETTER THAN THE ALTERNATIVE HERE. WE PLAN TO RAISE THE CASE AGAIN SOON IN A FRONT CHANNEL TELEGRAM TO DEPARTMENT MENTIONING THE NEW GUIDELINES RE INTERPRETATION OF 212(A)(28) WHICH APPEARED TO HELP MONYA POPOVITSER. PLEASE LET US KNOW IF YOU HAVE ANY PROBLEMS WITH THIS OR ANY SUGGESTIONS RE WORDING OF OUR TELEGRAM. IS THERE ANY WORD YET ON WHEN KOSKHARYAN'S SISTERS WILL BE ABLE TO FILE A PETITION?

5. INS IS ACTING STRANGER THAN USUAL IN THE CASE OF BENJAMIN MIKHAYLOVICH GINZBURG. WE SENT REQUEST FOR SECURITY ADVISORY OPINION NOVEMBER 18 (MOSCOW 18104), AND SENT FOLLOW-UP DECEMBER 3 (MOSCOW 18965) SINCE NO REPLY HAD BEEN RECEIVED. INS REPLIED DECEMBER 8 (ROME 19966 BEING REPEATED FOR DEPT) THAT "UPON RECEIPT OF INFORMATION FROM INS, WASHDC YOU WILL BE ADVISED OF DECISION." WE WONDER IF THIS MEANS THAT INS ROME NOW HAS TO REFER SUCH CASES TO INS CO BEFORE MAKING DECISION. THIS APPEARS PLAUSIBLE IN VIEW OF EFFORT TO ARRIVE AT NEW GUIDELINES FOR INS ROME ON 212(A)(28), PARTICULARLY SINCE WE FEEL CONFIDENTIAL

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(FROM A DISTANCE) THAT EVEN INS CO WISHES THAT ROME HAD NOT MADE SOME OF THEIR MORE CONTROVERSIAL DECISIONS (MERKHER, KRAPIVENSKIY). IF INS CO IS REALLY PLAYING A ROLE AT THIS STAGE OF THE PROCESS, THIS WOULD APPEAR TO BE BEST TIME FOR DISCREET DEPARTMENT EFFORT TO INFLUENCE DECISION IN CASE BEFORE AN INITIAL REFUSAL.

6. WE WERE RATHER AMAZED BY STATE 301195 ON FIRE ESCAPES.

THIS PROJECT CLEARLY FALLS WITHIN BUILDING MAINTENANCE CATEGORY
WHICH IS POST RESPONSIBILITY. ASSUME MOSCOW 19411 PUT MATTER
TO REST. I DO NOT INTEND TO FOUL UP WORKS BY STOPPING UPDK
PROJECT AFTER WE HAVE SPENT SO MUCH EFFORT TO GET THEM
TO DO THIS.
MATLOCK

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